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President:	Mr. De La Sablière	(France)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Aho-Glele
	Brazil	Mr. Valle
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Lavrov
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Negroponte

Agenda

Threats to international peace and security caused by terrorist acts

Letter dated 19 February 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2004/124)

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04-26034 (E)

The meeting resumed at 3.15 p.m.

The President (*spoke in French*): The next speaker on my list is the representative of Egypt, on whom I now call.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): We wanted to participate in today's meeting because we believe that this issue, and the debate that is taking place on it within the United Nations, are of great importance, given the threat posed by international terrorism — a threat that has been manifested in a number of different ways. Peace, security and economic and social development have been jeopardized. All parts of the international community must therefore come together to show their determination to confront terrorism. A high degree of international involvement is required if we are to combat that scourge in all of its manifestations.

I would like to take up a number of points that we believe are essential in the context of this debate.

First, terrorism has forcefully imposed itself on the United Nations agenda, as it represents an international threat that makes no distinction among peoples, countries, religions or cultures. Egypt was, and remains, among the first countries to affirm that terrorism is an international phenomenon to which we must develop a common response in order to defeat it and that we must do so while avoiding unilateral measures or actions directed against any particular culture, civilization or religion.

Secondly, in the past two years the Counter-Terrorism Committee (CTC) has succeeded in reaffirming that the United Nations, through its various bodies, is in a position effectively and resolutely to deal with the varying and growing international threat posed by terrorism. In that context, Egypt has done its utmost to cooperate with the CTC, having submitted three reports to date. We are fully committed to following up on them and to strengthening our cooperation in that respect.

Thirdly, the United Nations has shown that it is the most effective instrument for combating terrorism. It can coordinate and consolidate efforts, whether within the General Assembly — which has always played an important role as an effective legislative instrument in fighting international terrorism — or in the Security Council. In this context, I would like to stress that while we fully support the efforts of the Security Council in this respect, the General Assembly has a role to play in thwarting the international scourge of terrorism.

We are all well aware of the fact that terrorism manifests itself in a number of different ways, and that we must therefore respond to it on various levels. In order to counter this scourge, we must not confine ourselves to a purely security-oriented approach, adopting mere surveillance or monitoring measures. The actions we undertake must also have a political dimension, and must address the legal system and social and economic issues. It is very important to take all of those aspects into account if we are to succeed in depriving the terrorists of support and to tighten the grip around them so that they cannot gain access to financial or political support. It is vital, therefore, to ensure complementarity between the efforts of the Security Council and those of the General Assembly.

The General Assembly must play an important role because it deals with the aspects of terrorism to which I have referred and should not therefore be dismissed or sidelined. We must avoid the duplication, fragmentation and tinkering that can have a negative impact on international cooperation in the fight against the pernicious activity of terrorism. Thus, we need integrated, unified strategies and visions that will enable us to deal with this growing threat in a coordinated and effective way.

Fourthly and lastly, there have been a number of proposals for revitalizing the CTC and making it more effective. The issue of technical assistance to States should be included in those proposals. Our experience shows that, due to a lack of technical assistance, some Member States are not always able to submit their reports to the CTC. As a result, those States are unable to take the necessary measures under resolution 1373 (2001) at the national and international levels.

In conclusion, I stress the importance of complying with the provisions of the Charter regarding institutional issues, in particular Chapter XV and the relevant financial, administrative and legal rules and regulations. Those provisions should be complied with by the organs and agencies of the United Nations, and we must take them into account when we consider proposals for assisting and enhancing the role of the CTC. That way, the revitalization process will be able to move forward soundly and firmly, as it should,

giving the CTC the necessary momentum for achieving its objectives.

I thank the members of the CTC for their efforts in the negotiations and for their proposals. I also thank Ambassador Inocencio Arias, the Chairman of the CTC, for devoting his energy, dedication and experience to ensuring the future success of the CTC.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Liechtenstein, to whom I give the floor.

Mr. Wenaweser (Liechtenstein): This debate coincides with the final stages of a long and intense process of negotiation on the framework for Counter-Terrorism Committee (CTC) reform. Thus, it is our hope that this open debate will be a further source of inspiration for Council members.

In that sense, we would like to offer a few brief comments on the envisaged reform. At the outset, it is important to note that, as outlined in the report on the revitalization of the CTC (S/2004/124, annex), the reform would not alter the substance of resolution 1373 (2001), in particular, the obligations placed on Member States. The reform is intended merely to make the institutional changes necessary to bring the CTC's structure and expert capacity in line with the challenges lying ahead.

There continue to be intense discussions about the institutional implications of CTC reform. We share the view of those who emphasize that any revitalization measure must uphold the institutional balance of the Organization, and the integrity of the Secretariat in particular. We have taken note of the views expressed by the Secretariat in that respect, which were also referred to earlier in this debate, and we are confident that the Council will find agreement on reform that is in conformity with the principles mentioned earlier.

We welcome the intention to increase the CTC's capacity, in particular in the field of the coordination of technical assistance. In that respect, the strictly consensual nature of technical assistance needs to be underlined, as well as the particular role of the United Nations Office on Drugs and Crime (UNODC), based in Vienna. Notwithstanding the global coordinating role of the CTC, the UNODC continues to be the prime United Nations body for the actual delivery of technical assistance.

In the past, we have stressed that the work of the CTC, in particular in the field of technical assistance, should be tailored to meet the needs of human rights and the rule of law, which must be reconciled with measures aimed at effectively countering terrorism. That becomes all the more important in the light of visits by CTC experts to States to discuss the implementation of resolution 1373 (2001), as foreseen in the revitalization report, and in the light of the future reports of the proposed Executive Director on the implementation of that resolution. It is therefore crucial that the staff of the assessment and technical assistance office possess the necessary qualifications and awareness in this area and that the envisaged liaison with the Office of the United Nations High Commissioner for Human Rights be thoroughly put into practice. We believe that the recruitment of a human rights adviser would be a good way to achieve that goal.

Finally, let me express once again Liechtenstein's commitment to international cooperation in the fight against terrorism and to cooperation with the Security Council, and in particular with the CTC and with the sanctions Committee established pursuant to resolution 1267 (1999).

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Argentina, to whom I give the floor.

Mr. Mayoral (Argentina) (*spoke in Spanish*): My country is speaking on behalf of the States members of the Rio Group: Bolivia, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela and, of course, Argentina.

First, we thank you, Mr. President, for convening this meeting. It is particularly important to endorse the legitimacy of the process of revitalizing the Counter-Terrorism Committee through a meeting open to all States Members of the United Nations.

The members of the Rio Group reaffirm their resolute support for the efforts undertaken by the Security Council in the global fight against terrorism. It was a little less than three years ago that the Counter-Terrorism Committee was created. Under the leadership of its two Chairmen, Ambassador Jeremy Greenstock of the United Kingdom and Ambassador Inocencio Arias of Spain, the Committee has achieved

unprecedented success in the implementation of resolution 1373 (2001) through the examination of the existing legislation and administrative norms of all States, the facilitation of technical assistance and the establishment of monitoring and coordination networks in the global fight against terrorism.

Let us recall that this fight encompasses all organs and agencies of the United Nations system. In addition to the intense efforts of the Security Council, there are the responsibilities of the General Assembly, which has made notable progress in international law, and of other United Nations bodies, such as the Vienna Office, which has a programme devoted specifically to terrorism. Let us also recall that important activities have been carried out at the regional level. In our region, the Inter-American Committee against Terrorism of the Organization of American States works to enhance cooperation, coordinate national focal points for the fight against terrorism and improve the capacity of State officials to deal with this issue. As a result, universal action should be coordinated and uniform at every level in order to ensure its maximum impact.

Let us recall that terrorists often co-opt causes and use them as a pretext to carry out their criminal actions. For that reason, the fight against terrorism cannot be allowed to affect, nor cause us to neglect, the importance attached to the other priorities of this Organization, especially those that are linked to the promotion and protection of human rights and to economic and social development.

The Committee now intends to review a series of measures designed to facilitate the implementation of resolution 1373 (2001). One of the salient measures is the establishment of a new structure. This initiative, which is time-bound and of an experimental nature, is a very important one, in our opinion.

The new structure will institutionalize, for the first time, the link between this Committee and the United Nations High Commissioner for Human Rights, as well as with other competent bodies in this area. The countries of the Rio Group would like to express their satisfaction at this step forward, which we have been awaiting for some time. We believe that a next step would be to include in the Committee an expert who would deal exclusively with this matter — that is, human rights — as has been suggested by organizations such as Human Rights Watch and Amnesty International.

Of course, a fundamental aspect of the Committee's role involves technical assistance. This essential function, in our opinion, should continue to be improved and expanded. We believe that this reform represents an excellent opportunity to see if any inadequacies exist and to take appropriate measures to remedy them.

The countries of the Rio Group believe that the establishment of an Executive Directorate will provide flexibility, vitality and a greater ability to follow up on the work of the CTC, and for that reason we support it. The establishment of structures within the Secretariat, especially through a decision of the Security Council, warrants special attention. We believe that the Executive Directorate should be properly integrated into the Secretariat, without preventing it from following the policy guidelines be transmitted to it by the plenary. We believe that it is essential, in order to ensure the transparency and legitimacy of this initiative, strictly to abide by the provisions of the Charter of the United Nations in appointing staff to this new structure.

The Rio Group would like once again to welcome this initiative to revitalize the Committee's work and would like to reiterate once again the commitment of all its members to continue to ensure the greatest possible success in the fight against terrorism.

Before concluding, I would like to say, on behalf of my country, Argentina — which was the victim of cruel attacks which, in addition to killing hundreds of innocent people, destroyed the embassy of Israel in Buenos Aires and the AMIA building — that the Government of Argentina is ready to make every effort and provide every possible form of assistance to the Committee in the fight against terrorism.

The President (*spoke in French*): The next speaker on my list is the representative of Mexico, to whom I give the floor.

Mr. Berruga (Mexico) (*spoke in Spanish*): At the outset, we would like to express our appreciation to you, Mr. President, for having convened this timely meeting. Let me stress that the delegation of Mexico endorses the statement just made by the Ambassador of Argentina on behalf of the Rio Group.

Nevertheless, we would like to make a few observations and proposals in a national capacity.

Meeting the challenges we face in the struggle against terrorism requires the coordinated and integrated action of States. It involves not only the Security Council but also the General Assembly and other organs of the multilateral system. Above all, it requires international cooperation in the broadest sense of the term.

My delegation has participated in this process and has followed with interest and in a constructive spirit developments and proposals aimed at strengthening institutional mechanisms designed to increase the effectiveness of the United Nations in its fight against terrorism.

In that context, we would like to express our gratitude for the intensive work done by the Counter-Terrorism Committee and in particular by its current Chairman, Ambassador Inocencio Arias, in submitting the document entitled "Proposal for the revitalization of the Counter-Terrorism Committee".

We are pleased that the proposal takes as its reference point the strengthening of international cooperation and assistance to States within the framework of resolution 1373 (2001), without neglecting the principle of the sovereign consent of States. Our experience inside and outside the Committee has convinced us that the fight against terrorism cannot be effective, nor can it enjoy the necessary cooperation of the international community, if we do not develop transparent mechanisms that guarantee observance of the Charter of the United Nations and in particular the protection of human rights.

Mexico has stressed the importance of strengthening the link between the machinery established for the protection of human rights and that designed to combat terrorism. For that reason, we are pleased to see that the proposal considers making the Assessment and Technical Assistance Office the link with the United Nations High Commissioner for Human Rights and with other competent bodies, including special rapporteurs.

Along those same lines, we believe that the revitalization of the Committee will facilitate the implementation of Security Council resolution 1456 (2003) and of General Assembly resolution 58/187, entitled "Protection of human rights and fundamental freedoms in the fight against terrorism", which, as the Council is aware, was promoted by Mexico and sponsored by a substantial number of States.

Without minimizing any of the aforementioned considerations, Mexico believes that the illicit trade in small arms and light weapons requires priority attention. That reality has a devastating effect on the civilian population in various parts of the world, especially when terrorist acts are involved.

In the light of these considerations, Mexico believes that revitalization should be based on the following criteria.

First, in addition to the link with the High Commissioner for Human Rights, a human rights expert should be appointed to the Assessment and Technical Assistance Office. Secondly, we should also have an expert in the area of the illicit trade in small arms and light weapons. Thirdly, the new Office should be an integral part of the structure of the Secretariat, under the competence of the Secretary-General with respect to the appointment of personnel. In that respect, we feel that it would be extremely positive if broad-based consultations could be held before we appoint an Executive Director.

Fourthly, we believe that the appointment of staff and experts envisaged in the context of the revitalization should be based on regional representation criteria. Mexico believes that this will not be sufficiently guaranteed if we rely solely on the proposed criterion of representativity of the principal legal systems.

Fifthly, and lastly, the budgetary aspects of revitalization must be transparent and disseminated in a timely fashion to all of the members.

In conclusion, it is clear that a resolution on the revitalization of the Committee will be limited to issues of administrative structure and that we will have to begin the discussion on whether or not it is necessary to adopt it under Chapter VII of the United Nations Charter.

The President (*spoke in French*): I now call on the representative of Israel.

Mr. Gillerman (Israel): Allow me at the outset to pay tribute to the Spanish Ambassador, Mr. Arias, for his stewardship as Chairman of the Counter-Terrorism

Committee (CTC). The CTC, under his leadership, continues to assume a vanguard role in the global campaign against terrorism by assisting and monitoring State implementation of Security Council resolution 1373 (2001). Israel would like to take this opportunity to reaffirm its support for the work of the CTC and to assure it of our full cooperation.

In our fight against terror, we should not forget the faces of the victims. Lior was a happy boy and one of the most popular students in his class. His friends described him as the class clown, a boy who was always making everyone else laugh. He was a forward on the school soccer team and had dreams of a career in the sport. "Lior excelled at keeping control of the ball and loved dribbling it in front of everyone else," his coach has said.

Lior Azulai, age 18, a 12th-grader at the Gymnasia School in the Rehavia neighbourhood of central Jerusalem, was killed on the morning of 22 February in a homicide attack on the bus that took him and dozens of his classmates to school every morning — but not on that morning. Eight Israelis were killed and over 60 wounded when a Palestinian terrorist from Bethlehem detonated a bomb hidden in his backpack, mangling the crowded bus and scattering body parts and wreckage throughout the area of the blast, creating a scene of despicable horror.

The Al-Aqsa Martyrs Brigade of Yasser Arafat's own Fatah movement claimed responsibility for the attack. It was the same terror cell responsible for the grave homicide attack that killed 11 passengers on a bus in Jerusalem less than one month earlier, on 29 January.

Since we last met in October 2003 to convene an open debate in the Security Council on the threat of terrorist acts, Israel has witnessed the murder of 66 Israelis and the injury of 224 in a continuous onslaught of terrorist attacks. These figures, by the way, do not include three United States citizens and a European tourist who were killed during that period.

But these numbers are just the tip of this horrendous phenomenon. In this same period alone, 217 terror attacks — including numerous homicide bombings — have been thwarted by the Israeli security forces. They would have cost the lives of hundreds of innocent people, if not more. The terrorists target the most defenceless in our society, such as Lior Azulai, other young boys and girls, women and the elderly alike. Homicide bombings have orphaned our children and widowed our husbands and wives. They have denied us life, peace and hope. What Israel faces today in its most potent and sustained form has shown itself to be nothing less than the first world war of the twenty-first century. This new and horrendous phenomenon is now revealing itself to the rest of the world.

Recent global attacks have demonstrated that extremist elements continue to be willing and able to strike at any target, in any hemisphere, without concern or regard for human life. In New York, Washington, D.C., Mombassa, Bali, New Delhi, Casablanca, Jerusalem — no part of the world is immune from the scourge of this global threat. Israel would like to express its condemnation of recent terror events in Russia, Iraq, Pakistan and other areas of the world. Those despicable acts, unfortunately, demonstrate once again the long road still ahead in the fight against terrorism. We send our condolences to the bereaved families and our wishes for a speedy recovery to the injured. The war on terrorism is far from won.

Steadfast political will constitutes a potent instrument of power, ensuring a united front of international counter-terrorism cooperation based on two essential components: the adoption of a zero-tolerance attitude towards terrorism in all its forms and the elimination of safe havens and support infrastructure for terrorists provided by any Government. The States that continue to harbour terrorists and abet their activity must be named and shamed. In that respect, our tone must be strong and unmistakable.

Today, it is clear that the success of the global counter-terrorism campaign will depend both on sustaining international political will and on enhancing the capacity of all States to fight terrorism, including assisting those well-intentioned States that want to fight terror but lack the necessary tools and experience to meet the challenge. It has never been more clear that the international community must pool its resources. In the absence of close coordination, unwavering political will and enhanced capacity-building among States, terrorists will succeed in taking advantage of every weakness, vulnerability and disagreement.

We must also re-examine our capacity to deal with a second category of States — those that possess the means to fight terrorism but lack the will to do so.

In many cases, it is not a question of capability, but a question of willingness. I would like to share with Council members what I see as a troubling contradiction in the letter and spirit of resolution 1373 (2001) and the ability of the CTC to take the necessary actions to implement its objectives. Whereas resolution 1373 (2001) was adopted unanimously under Chapter VII of the United Nations Charter, it seems that implementation depends upon the consensus support of the members of the CTC. I believe that this stipulation may present a serious obstacle to the current direction of the CTC's work and our potential to effect real, tangible results in the area of counter-terrorism. In order to better serve the cause of resolution 1373 (2001), decisions should be taken by majority — relative or absolute — and not by consensus. The requirement of a consensus vote could impede crucial actions taken by the Committee.

It is in this spirit that Israel has been and continues to be supportive of ongoing efforts to strengthen international counter-terrorism cooperation in general and the work of the CTC in particular. In the past year alone, we have witnessed increasing interest on the part of Member States to work more closely with us against terrorism and we have responded by readily sharing our painfully gained experience in that difficult sphere. We are equally willing to increase our role in the work of the CTC, both at the administrative level as well as in the field. No country can be left out if international counter-terrorism efforts are to truly succeed.

We agree with the current direction of the Committee's work, which seeks to move from formulating guidelines to practical implementation with a view to attaining tangible results on the ground. Two years after the horrifying terrorist attacks of 9 September 2001, the international community is still formulating its counter-terrorism agenda. The existing agenda — gleaned from the landmark Security Council resolution 1373 (2001) — already rests on critical counter-terrorism pillars, inter alia, enhancing capacity-building and pooling resources, implementing national legislation, increasing information exchange, reinforcing land and sea security, and combating terrorist financing. It is crucial that these elements also be implemented on the ground.

In that context, we would like to draw attention to comments included in the report of the Chairman of the CTC with regard to the continuing challenge of combating terrorism financing:

> "Certain non-profit associations have been used by terrorists, either to disseminate terrorist propaganda or by collecting funds that are diverted for the benefit of terrorist groups." (S/2004/70, p. 6)

We would hope that those wise words will be taken on board and acted upon by Member States.

However, in our view, efforts cannot stop here. There is a continuing need to update the international counter-terrorism agenda in order to deal with emerging threats in an attempt to keep pace with an increasingly sophisticated terrorist world. Agenda items that deserve increased attention include, among others, blocking the financing of terrorism, suicide terrorism, Man-Portable Air Defence Systems, terrorism using weapons of mass destruction, and the nurturing of a culture of violence and hatred. We look forward to working with the Committee in its new phase of implementation, and we wish members of the Committee much success in achieving their noble aspirations.

The President (*spoke in French*): I now call on the representative of South Africa.

Mr. Kumalo (South Africa): I would like to convey my delegation's appreciation to you, Mr. President, for convening this important debate on threats to international peace and security caused by terrorist acts. I would also like to thank Ambassador Arias of Spain for the exemplary manner in which he has chaired the Counter-Terrorism Committee (CTC).

South Africa, which is already party to 9 of the 12 United Nations conventions on terrorism and is in the process of ratifying the remaining three conventions, remains fully committed to the collective effort of the international community to address the threat of terrorism. However, we meet today at a time when the Security Council has already completed its review of the strategic direction, structures and procedures of the Counter-Terrorism Committee and has even commenced negotiations on a new resolution. We would hope that it is not too late for the views of the wider United Nations membership to be taken into consideration and that we can accurately express our views in the few short minutes allocated to us.

My delegation is encouraged by the efforts to make the CTC more proactive in facilitating the provision of technical assistance to Member States and in promoting closer coordination and cooperation with relevant international organizations. At the same time, we believe it would be important for the Council to acknowledge, on behalf of Member States, the great lengths already gone to by many Governments around the world in bringing their national legislation in line with the requirements of the Security Council. We believe it is necessary that those factors be taken into account when deliberations on any new counter-terrorism measures are being considered.

The long-term sustainability of our collective effort against terrorism will also depend upon the Security Council taking into account the different capacities and capabilities of individual Member States. We should avoid placing unachievable administrative, technical and financial burdens on Member States. Inability by Member States to implement Chapter VII decisions of the Security Council not only would undermine the effectiveness of those particular measures, but also could have negative implications for the future application of measures adopted under Chapter VII of the Charter.

South Africa supports the approach always followed by the CTC — that of adopting decisions by consensus. The Committee's practice of promoting cooperation and dialogue among sovereign and equal Member States is also commendable and should continue to inform the Committee's work.

One of the challenges that the CTC has faced is to offer a cost-effective and financially transparent service to the Security Council and to Member States as they seek to implement resolution 1373 (2001). The proposal to create one centralized structure for the expert and Secretariat support staff — to be known as the Counter-Terrorism Committee Executive Directorate — may help to address that challenge. Any Council decision to give effect to that proposal should, however, be in accordance with the Charter and with the financial rules and regulations of the United Nations.

We note that the CTC anticipates that the establishment of the new structure should not increase the budget and the resources already generously allocated to the CTC in a way that would be detrimental to the other priority programmes and initiatives of the United Nations. That is particularly pertinent at a time when the Organization is required to address the needs of millions of people afflicted by poverty and conflict within its already constrained budget. In restructuring the support unit for the CTC, care should also be taken to ensure that the principle of preserving the integrity and representativity of the Secretariat — and the authority of the Secretary-General over the Secretariat — is maintained, in accordance with Chapter XV of the Charter. Deviating from those provisions would set unwanted precedents.

The South African Government is concerned about perceptions that are created by unsubstantiated statements or advisories by other Governments and the media regarding the potential of terrorist activities in third countries. Such unsubstantiated and selective statements or advisories could negatively affect not only a country's standing, but also its security situation. There is a danger that terrorists and terrorist organizations may either exploit such statements or advisories or view them as providing indications of opportunities to conduct terrorist activities.

The South African Government therefore calls on the Security Council to bring these concerns to the attention of Member States and to impress upon their Governments the need to act responsibly when dealing with such sensitive issues, which have potentially serious consequences. States should desist from issuing general warnings and other statements, including travel advisories, about unsubstantiated threats of terrorism in other countries. When States obtain information about potential terrorist activities, it is essential for the Governments of those States to alert the Governments of the States where the potential terrorist activity is to take place, rather than proceeding to issue a statement or travel advisory without any such consultation. Prior and confidential consultation would allow the States concerned to first verify the information and then take the necessary steps to prevent and act against the terrorist threat. The objective here should be to prevent and combat terrorism without creating a climate of fear and insecurity.

The South African Government has made significant progress in further refining and improving its national counter-terrorism capabilities, and comprehensive new counter-terrorism legislation is currently before our Parliament. However, we are well aware that terrorism is a complex global phenomenon that can often be linked with other forms of organized

transnational crime. We therefore acknowledge that it can be addressed effectively only through sustained international cooperation, including in fields such as intelligence sharing, police action and technical assistance. Such a comprehensive approach necessitates understanding and addressing the root causes of terrorism. That would include the need to resolve conflicts in all parts of the globe and a joint commitment by the international community to eradicate poverty and underdevelopment.

The President (*spoke in French*): I now call on the representative of the Syrian Arab Republic.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): It gives me pleasure to express our satisfaction at the convening of this meeting, which is being held within the framework of our collective follow-up on the implementation of resolution 1373 (2001).

I would like to thank Ambassador Arias, Permanent Representative of Spain and Chairman of the Committee, and the other members of the Committee for the efforts they have been making to muster the efforts of all States Members of the United Nations, in particular, and of the international community in general, in combating terrorism.

This is our first statement on the work of the Counter-Terrorism Committee (CTC) since the end of our term as a non-permanent member of the Security Council. I mention that only to recall that Syria has participated effectively in the work of that important Committee. It worked with other Council members to crystallize various proposals and ideas concerning the revitalization of the Committee. It gives us pleasure to note that the 19 February report on the revitalization of the work of the Committee (S/2004/124, annex) reflects a number of the opinions we had expressed. Here, I would like to reaffirm that Syria supports the role of the United Nations in combating international terrorism, based on the purposes and principles of the Charter — which become even more important when the world faces new challenges and dangers.

The report on the revitalization of the work of the CTC notes that revitalization is justified by the need to safeguard and strengthen the relevant legal framework. The report's proposals should be viewed as a means to support what has already been accomplished, and to reinforce the work of the Committee and the Security Council in that respect.

My delegation agrees with that principle, and we affirm that it is necessary to abide by it. International consensus on Security Council resolution 1373 (2001) and the work that has been done are a matter of prime importance that should not be neglected, regardless of any wish to do so. We also agree with paragraph 3 of the report, which relates to the objectives of revitalization. We hope that Council members will discuss that paragraph with all the necessary scrutiny and care.

The Committee proposes the establishment of new structures, and there are also references to sound financial accountability. We are confident that the proposals to revitalize the Committee are, in every respect, consistent with the Charter, the financial and administrative rules and regulations of the United Nations and with the priorities contained in the medium-term plan.

Syria condemns terrorism in all its forms and manifestations, and calls for serious discussion of its roots and causes. Such treatment should not be superficial or limited by time. In order to achieve this, Syria, which has fully cooperated with other countries in combating terrorism, thus thwarting many terrorist acts, renews it principled readiness to strengthen that cooperation, which serves our common interest and the interest of international peace and security. We believe that any party that kills innocent people, destroys houses upon the heads of women and children, creates faits accomplis in occupied territories and builds settlements is practising terrorism, regardless of the nomenclature. In fact that is more than terrorism.

Syria reaffirms the linkage between terrorism and weapons of mass destruction. We call upon the international community to combat both terrorism and weapons of mass destruction in tandem.

As an expression of our sound intentions, we submitted last year a draft Security Council resolution, on behalf of the Arab Group, in which we called for the Middle East region to be made an area free of weapons of mass destruction, including nuclear, chemical and biological weapons. No country would be exempt from implementing such a resolution: it would be implemented in accordance with the rules of international legitimacy and without double standards. Our draft resolution is still before the Council, and we hope it will be adopted by consensus as soon as possible.

The President (*spoke in French*): The next speaker is the representative of Costa Rica, to whom I give the floor.

Mr. Stagno Ugarte (Costa Rica) *(spoke in Spanish)*: Allow me first of all to thank Ambassador Inocencio Arias, the Permanent Representative of Spain, for his excellent work as Chairman of the Counter-Terrorism Committee (CTC), and for the briefing he just gave us on the report concerning the revitalization of the Committee (S/2004/124, annex). My delegation also associates itself with the comments made by the representative of Argentina on behalf of the Rio Group.

The fight against terrorism is one of the major challenges facing the international community. That crime victimizes the innocent civilian population and endangers the political stability of all nations. We therefore flatly condemn terrorism in all it forms and manifestations, no matter where or by whom it is committed. At the same time, we affirm that there can be no political, philosophical, racial, ethnic or religious justification for the crime of terrorism. In that context, we welcome the efforts of the Security Council to revitalize the work of the CTC in preventing acts of terrorism.

Over the past three years, the CTC has collected a great quantity of information on the legislative and administrative measures that States are implementing in the fight against terrorism, and in the implementation of Security Council resolution 1373 (2001). The Committee, acting as an intermediary, has facilitated the provision of technical assistance to countries that require it, and has cooperated with various international organizations in disseminating information on its assistance programmes. However, the CTC must take some proposals into account in order to make its work more effective.

My delegation, as an interlocutor and as a beneficiary of the CTC's services, would like to note a few of those proposals. First, the establishment of stages in verifying implementation of resolution 1373 (2001) seems to have made it difficult to obtain assistance. The fight against terrorism requires the simultaneous development of legislative, administrative and operational measures against that crime. The Committee's primary emphasis on legislative aspects and on technical assistance in the drafting of laws, although very necessary, should also be accompanied by the provision of materials in an operational framework, which is now also required. In the future, the CTC should focus on providing technical and material assistance in an operational framework.

Secondly, the system of reports and additional requests for information can also have contradictory effects. States that have presented exhaustive and timely reports and have adopted additional measures against terrorism have been overwhelmed by new increasingly detailed questions which penetrate ever further into the framework of the exclusive jurisdiction of States. Regrettably, some requests for information seem to reflect a lack of sensitivity to the unique conditions and specificities of the judicial, administrative and legislative processes in the most open and democratic of societies.

In particular, it would be desirable for the Committee to take into account the standards and principles in force in each State in the area of due process and judicial guarantees, since those would limit what measures can be imposed by a given State in the fight against terrorism.

Furthermore, the CTC should focus primarily on those States whose reports have been deficient, or for which there is evidence that the measures implemented have clearly been inadequate.

Thirdly, the CTC should respond to the appeal of the United Nations High Commissioner for Human Rights to make human rights the cornerstone of the international strategy in the fight against terrorism. The Committee should ensure that measures adopted by States in the fight against terrorism are in full conformity with applicable international law, especially with human rights and refugee law, international humanitarian law and the principle of non-refoulement. Even though it is true that resolution 1373 (2001) does not dwell on these aspects, it should be interpreted within the framework of international law as a whole.

We should point out that the 12 international conventions on terrorism contain carefully balanced norms, which guarantee respect for fundamental rights, international refugee law and due process. The CTC should not only verify the implementation of the punitive or preventive provisions of those conventions, but should also verify the implementation of standards that protect the human rights of the victims and of the accused. Furthermore, the Committee must promote

respect for fundamental rights and guarantees as a way of preventing terrorist acts.

My delegation welcomes the proposals to reorganize and revitalize the CTC, contained in the annex to document S/2004/124. Those proposals point in the right direction. However, there are other aspects that should be considered.

With respect to the revitalization objectives, we believe that in the future, the CTC should place more emphasis on cooperation on operative aspects, should focus its attention on States that have not complied with their obligations in conformity with resolution 1373 (2001) and, above all, give respect for and promotion of human rights priority as an essential part in the fight against terrorism.

With respect to the establishment of a CTC Executive Directorate, we believe that, this should be a temporary measure, while a permanent body is established within the United Nations to fight terrorism. Indeed, the fight against terrorism should become an ongoing activity of the United Nations. Terrorism has adverse effects not only on international peace and security, but also in the areas of human rights, governance and economic and social development. From that point of view, the coordination of the international fight against terrorism must be assigned to an independent and permanent body located within the organic structure of the United Nations. We believe that the time has come to seriously study the possibility of establishing the office of a United Nations high commissioner against terrorism, which could also assist not only the Security Council but also the General Assembly and the Economic and Social Council. Only in that way can we properly respond to the challenge of international terrorism.

The President (*spoke in French*): The next speaker on my list is the representative of Indonesia, to whom I give the floor.

Mr. Jenie (Indonesia): I would like, Mr. President, to express to you my delegation's appreciation for your having convened this open debate on the work of the Counter-Terrorism Committee (CTC) and on the proposal for its revitalization. Before I go further, let me express my Government's commitment and determination to combat terrorism, and its support for the work of the CTC.

The report of the CTC's Chairman (S/2004/124, annex) has described the main problems encountered in the effort to fully comply with resolution 1373 (2001). The report has advanced a package of measures aimed at overcoming those problems and mitigating the procedural and substantive difficulties already identified.

The rationale for the CTC's revitalization has been its need for a more proactive role in dialogue with Member States, in order to further facilitate technical assistance and to promote closer cooperation and coordination with other relevant international organizations. In recognizing such a need, we believe that the current challenges faced by the CTC in implementing its mandate, contained in resolution 1373 (2001), will have to be addressed comprehensively. In this case, the proposal for the establishment of a Counter-Terrorism Committee Executive Directorate — and the appointment of an executive director as its head — need to be considered and judged in the context of strengthening the CTC's effectiveness and efficiency in combating terrorism.

My delegation believes that although the rationale for revitalizing the CTC is valid, it must nonetheless be considered in the context of other important issues which have equal validity and need to be approached in a balanced manner.

We are gratified to note that the task of revitalization, including the establishment of the Executive Directorate within the existing United Nations structure, will not become a burden or set a precedent. It will also be subject to review by December 2005, with a sunset clause set for December 2007. Based on those considerations, my delegation endorses, in principle, the revitalization of the CTC.

Finally, I would like stress Indonesia's conviction that terrorism is a problem facing every nation and that we can best fight and vanquish that menace through a comprehensive approach that includes addressing the root causes of terrorism and, ultimately, its eradication. Development is among the other issues that need to be approached in a balanced manner, so as to ensure that terrorism has nowhere to hide and is defeated.

The President (*spoke in French*): The next speaker on my list is the representative of Canada, to whom I give the floor.

Mr. Rock (Canada): I am grateful for the opportunity to speak today on behalf of Canada on the important issue of revitalizing the Counter-Terrorism Committee (CTC). I want to first join with other colleagues in expressing our gratitude and admiration for the skilful and effective way in which Ambassador Arias is discharging the complex and important work of the Committee.

Since the Committee's inception, Canada has recognized the CTC as the focal point of the efforts both to implement resolution 1373 (2001) and to make the resources of donor States available to assist others in meeting their international counter-terrorism responsibilities. We believe the CTC should continue to play a leading role in that respect.

We appreciate the progress the CTC has made, particularly in promoting the importance of implementing resolution 1373 (2001) and the 12 United Nations counter-terrorism conventions and protocols.

We share the concern expressed by others about the sustainability, effectiveness and continued relevance of the CTC in the fight against terrorism. We agree that the process of revitalization undertaken by the Committee is important. The evaluation of reports, coordination and expert needs assessments are all critical activities. But we must take the measures necessary to move beyond assessment to action, so that identified gaps may be filled and required follow-up activities may take place.

(*spoke in French*)

Some of these measures relate to the very structure of the CTC. In this regard, the creation of an Executive Directorate would be worthwhile, since it could provide critical technical support to the Chair and ensure continuity when the CTC's chairmanship changes. Measures that streamline decision-making, facilitate communication and enhance flexibility should also be welcomed.

(*spoke in English*)

We would hope, however, that restructuring measures do not disproportionately increase the budget and resources already allocated to the CTC, but rather facilitate a more effective use of those resources. A number of the challenges that the CTC faces are of course mirrored at the national level. So much of coordination and leveraging of resources is about identifying and engaging the right people — and getting them, of course, to talk to one another. This is especially important when the activities are more technical than political in nature.

Close cooperation at all levels between the CTC and the Secretariat is as essential as that between the CTC and Member States for maintaining the full support needed to successfully enhance the work of the CTC through the proposed Counter-Terrorism Executive Directorate.

We can also make the CTC more action-oriented by further enhancing its joint activities and interaction with other organizations. To this end, we have welcomed the CTC's increased outreach to international, regional and functional organizations. We look forward to the results of the 12 March meeting co-hosted by the Organization for Security and Cooperation in Europe and the United Nations Office on Drugs and Crime.

We support the proposal to strengthen the CTC's contacts and coordination with other United Nations bodies. We consider the current collaboration between the CTC and the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime to be exemplary. It is, indeed, a best practice.

Increased interaction of the CTC with the Office of the United Nations High Commissioner for Human Rights and other human rights organizations in matters related to counter-terrorism would also be welcomed by Canada. Like others who have spoken today, we support the inclusion of a human rights expert on the staff of the CTC, because we believe that the fight against terrorism must be conducted in accordance with international commitments on human rights and fundamental freedoms.

In this regard, I want to stress that Canadian counter-terrorism capacity-building assistance is provided in a manner consistent with respect for international human rights norms and standards, and that specific human rights components are integrated into counter-terrorism initiatives where possible.

As originally conceived, the CTC should do more to ensure that it is the central clearing house for the many needs assessments, evaluation mechanisms and counter-terrorism action plans that are being conducted in regional and functional organizations. In our view, this information should be in one place and accessible

to donors, so that we may be in a position to respond. As long as the CTC is not playing that central role, some duplication is inevitable, creating additional and unnecessary demands and burdens on developing countries.

(*spoke in French*)

More can be done to improve information exchange and communication with those major donor States that, like Canada, are not members of the Security Council. The demands on those donors to provide assistance are increasing. However, we cannot respond effectively if we do not have full access to the information that our technical experts require in order to meet the identified needs of recipient countries. For our part, we are ready to expand our efforts to share information about the assistance that we currently provide.

(*spoke in English*)

In closing, let me underline again that Canada supports the work of the United Nations Counter-Terrorism Committee. We are pleased that the CTC itself has taken practical steps towards revitalization so as to ensure its continued relevance and central role in the global fight against terrorism, drawing together all Member States as active and full participants.

The President (*spoke in French*): I now give the floor to Mr. Inocencio Arias to respond to questions and comments.

Mr. Arias (*spoke in Spanish*): I will be brief in my response, but I will try to provide a few clarifications.

First of all, I would like sincerely to thank all those who have spoken today for their support for the report of the Counter-Terrorism Committee (CTC), and all those who expressed kind words to me.

I will go over a few of the points that were made. First, the ultimate reason for the reform effort is that it is an absolute necessity. That is the opinion of the members of the Committee; it was also the opinion of the previous Chairman, Ambassador Greenstock, who was very familiar with this issue; and it is my opinion, after 10 months as Chairman of the Committee. We have listened to the Member States. We must pay attention to the concerns of the Secretariat. We must be respect the Charter. But I repeat my firm conviction that without serious revitalization, the Committee and the United Nations run the risk, in the medium term, of becoming ineffective. We must not allow that to happen.

Secondly, the reform effort — and the necessary draft resolution — will in no way modify the philosophy or the substance of resolution 1373 (2001). I repeat: it will in no way do so.

Thirdly, in my opinion, the reform or revitalization effort has two goals. On the one hand it must result in increased and enhanced technical assistance. We know that that is a very important issue; many States react slowly to our requests because of a lack of resources, and we must try to resolve that problem. On the other, it must increase the effectiveness and visibility of the Committee. We believe that both of those goals can be achieved through the revitalization exercise.

Fourthly, the new unit that we intend to create will be temporary. Fifthly, revitalization will clearly help us to avoid duplication of effort. Sixthly, the revitalization exercise is not an attempt to establish a precedent and will certainly not — I repeat, will not — impose a financial burden of any importance on the Organization. The increase in cost will be truly minimal, as compared with what has been spent to date.

Lastly, the revitalization exercise that is being proposed, which is in conformity with the spirit and letter of resolution 1373 (2001) and fully respects the Charter, will strengthen, without great cost, the effectiveness of the Council and of the United Nations in the fight against the very serious threat of terrorism. When the Committee points out that revitalization is crucial, it does not do so lightly. We are convinced of its necessity.

The President (*spoke in French*): I thank Ambassador Arias for the clarifications that he has provided.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 4.30 p.m.